

Entered - 06/24/98 - sb
CL 98L0447 - GWENDOLYN BURNS

00-*R*-1236

CLAIM OF: CINDY CLARK
362 Broadland Road
Atlanta, Georgia 30342

For damages alleged to have been sustained as a result of a sewer backup on March 17, 2000 at 362 Broadland Road.

BY PUBLIC SAFETY AND LEGAL
ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to CINDY CLARK the sum of \$635.00 in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained as a result of a property damage incident on March 17, 2000 at 362 Broadland Road as is more particularly set forth in the within claim; said sum taken from and charged to account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

APPROVED: SUSAN PEASE LANGFORD
CITY ATTORNEY

CONSENT AGENDA

BY: Rosalind Rubens Newell
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

ADOPTED BY

SEP 0 5 2000

COUNCIL

Public Safety
8/15/2000
CL 98L0447
GWENDOLYN BURNS
SEP 14 2000

CERTIFIED
SEP 5 2000
19222

CERTIFIED
SEP 0 5 2000
Rosalind Rubens Newell
MUNICIPAL CLERK

APPROVED

SEP 14 2000

WITHOUT SIGNATURE
BY OPERATION OF LAW



**MUNICIPAL CLERK
ATLANTA, GEORGIA**

00-R-1236

A RESOLUTION

**BY PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE**

BE IT RESOLVED BY the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **Cindy Clark** in the sum of **\$635.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained as a result of **a sewer backup on March 17, 2000 at 362 Broadland Road** as is more particularly set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,

Rhonda Daughkin Johnson
Municipal Clerk, CMC

**ADOPTED by the Council
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403**

SEP 05, 2000

SEP 14, 2000

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 98L0447

Date: August 3, 2000

Claimant /Victim CINDY CLARK
BY: (Atty) (Ins. Co.) _____
Address: 362 Broadland Road, Atlanta, Georgia 30342
Subrogation: _____ Claim for Property damage \$ 635.00 Bodily Injury \$ _____
Date of Notice: 6/9/98 Method: Written, Proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 6/13/98 - 6/17/98 Place: 362 Broadland Road
Department PUBLIC WORKS Division Sewer Operations
Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: Claimant sustained property damages to her residence from a sanitary sewer back up. An investigation determined that the City was on notice of said sewer problem at this location, but failed to correct it.

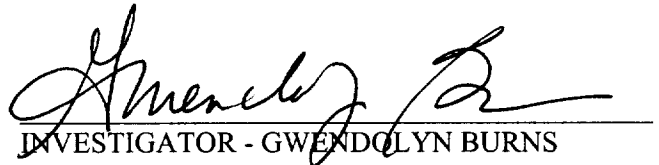
INVESTIGATION:

Statements: City employee _____ Claimant X Others _____ Written _____ Oral X
Pictures _____ Diagrams _____ Reports: Police _____ Dept Report X Other X
Traffic citations issued: City Driver _____ Claimant Driver _____
Citation disposition: City Driver _____ Claimant Driver _____

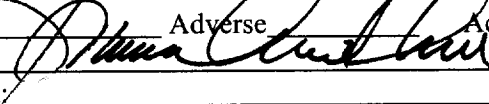
BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial _____
Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable X
City not involved _____ Offer rejected _____ Compromise settlement _____
Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____
Claimant Negligent _____ City Negligent X Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ 635.00 Adverse _____ Account charged: 1A01 _____ 2J01 X 2H01 _____
Claims Manager:  Concur/date 08-04-00
Committee Action: _____ Council Action _____

COUNCIL OF THE CITY OF ATLANTA
MUNICIPAL CLERK
City Hall
55 Trinity Avenue, S.W.
Atlanta, Georgia 30335

RE: CLAIM FOR DAMAGES

Oatis
6/23/98
[Signature]

Today's Date: 6-5-98

ENTERED - 6-24-98 - SB
98L0447 - ANTHONY OATIS

Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 635.00 actual out of pocket costs
for ~~bodily injury~~ property and/or for which I contend the City is liable.

1. Date of incident: March 13-17 1998 2. Time of Incident: Discovered around 1:00 p.m. 3. Police called: Yes ☒ No
(month/day/year)
4. Location of incident (including street address): 362 Broadland Road ATL 30342
5. Name of your insurance company: Travelers Policy No. into insurance this is
Turn all property damage only for medical and video of sewer
6. State what and how incident occurred: _____

Drains in main basement backed up with city sewage. This began on March 13, 1998 and continued at peak times through midday on March 17, 1998. Actual property damage was turned in to our insurer. The attached are for the vaccines AND video of sewer expenses incurred in direct

7. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!

8. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).

Nil
Your vehicle: _____
(Make) (Year) (Tag Number) (Driver's Name)

City vehicle: _____
(Make) (City Driver's Name) (Department/Bureau)

9. Witness: _____
(Name) (Address) (Telephone Number)

10. The acknowledgement of this claim in no way waives the sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and / or its employee(s).

11. This claim should be mailed immediately to the address shown above.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

Cindy Clark
Signature of Claimant

Cindy Clark
(Print Claimant's Name)

362 Broadland Road
(Address)

Atlanta GA 30342
(City, State and Zip Code)

404-869-1513
(Work Number)

404-264-1528
(Home Number)

00- -1236

NOTE: Aaron Beckham and Charles Richards are very familiar with this if you have questions.

RCS# 2194 :
9/05/00
2:17 PM

Atlanta City Council

Regular Session

CONSENT

Pages: 1-12

Adopt

YEAS:	13	SEE ATTACHED LISTING OF ITEMS ADOPTED/ADVERSED ON CONSENT AGENDA
NAYS:	0	
ABSTENTIONS:	0	
NOT VOTING:	3	
EXCUSED:	0	
ABSENT	0	

Y McCarty	Y Dorsey	Y Moore	Y Thomas	ITEM (S) REMOVED FROM <u>CONSENT AGENDA</u> 00-O-1007 00-R-1309
Y Starnes	NV Woolard	Y Martin	Y Emmons	
NV Bond	Y Morris	Y Maddox	Y Alexander	
Y Winslow	Y Muller	Y Boazman	NV Pitts	

CONSENT

09/05/00 Council Meeting	
ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADVERSED ON CONSENT AGENDA
1. 00-O-1102 2. 00-O-1143 3. 00-O-1207 4. 00-O-1295 5. 00-O-1303 6. 00-O-1313 7. 00-O-1124 8. 00-O-1125 9. 00-O-1126 10. 00-O-1127 11. 00-O-1128 12. 00-O-1133 13. 00-O-1196 14. 00-O-1298 15. 00-O-1122 16. 00-O-1300 17. 00-R-1198 18. 00-R-1230 19. 00-R-1290 20. 00-R-1312 21. 00-R-1316 22. 00-R-1265 23. 00-R-1266 24. 00-R-1267 25. 00-R-1268 26. 00-R-1270 27. 00-R-1314 28. 00-R-1229 29. 00-R-1233 30. 00-R-0886 31. 00-R-1236 32. 00-R-1237 33. 00-R-1238 34. 00-R-1239 35. 00-R-1240 36. 00-R-0241 37. 00-R-1242 38. 00-R-1243 39. 00-R-1244	40. 00-R-1235 41. 00-R-1245 42. 00-R-1246 43. 00-R-1247 44. 00-R-1248 45. 00-R-1249 46. 00-R-1250 47. 00-R-1251 48. 00-R-1252 49. 00-R-1253 50. 00-R-1254 51. 00-R-1255 52. 00-R-1256 53. 00-R-1257 54. 00-R-1258 55. 00-R-1259 56. 00-R-1260 57. 00-R-1261 58. 00-R-1262 59. 00-R-1263 60. 00-R-1264